

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DMJ ASSOCIATES, L.L.C.,

Plaintiff,

- vs.-

CARL A. CAPASSO, et al.,

CV-97-7285

(Irizarry, J.)

(Levy, M.J.)

**ORAL ARGUMENT REQUESTED**

Defendants.

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EXXON MOBIL CORPORATION and  
QUANTA RESOURCES COPORATION,

Defendants/  
Third-Party Plaintiffs,

- vs. —

ACE WASTE OIL, INC., et al.,

Third-Party Defendants.

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DECLARATION OF SANDRA L. LEVY

SANDRA L. LEVY, pursuant to the provisions of 28 U.S.C. § 1746, declares as follows:

1. I am an Assistant United States Attorney in the office of Loretta E. Lynch, United States Attorney for the Eastern District of New York. I am responsible for representing Third-Party Defendants United States Department of the Air Force, the United States Department of the Army, the United States Department of the Coast Guard, the United States Department of Defense, and the United States Department of the Navy (collectively “Federal TPDs”) in this action. As such, I am familiar with the proceedings in this case. I submit this declaration in connection with the Federal TPDs’ motion to dismiss, pursuant to Federal Rule of Civil

Procedure 12(b)(1), the purportedly-assigned claims set forth in the third amended third-party complaint in this action.

2. Attached as Exhibit A hereto is a true and correct copy of Federal TPDs' Supplemental Responses and Objections to TPPs' First Set of Interrogatories, dated February 27, 2009, and served on Third-Party Plaintiffs on that date. Also attached as part of Exhibit A hereto are the verifications of the Federal TPDs' Supplemental Responses, dated and served on March 11, 2009.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Brooklyn, New York  
August 7, 2013

/S Sandra L. Levy  
SANDRA L. LEVY  
Assistant United States Attorney